

To: OW-OWOW-EVERYONE[OWOWOWEVERYONE@epa.gov]
From: Bravo, Antonio
Sent: Thur 1/16/2014 3:30:24 PM
Subject: FYI Only: Water articles in the Press

Daily News

EPA To Weigh Preemptive Mine Veto Based On Final Bristol Bay Study

Posted: January 15, 2014

EPA's final assessment of the potential impacts of the planned Pebble Mine in Alaska's Bristol Bay watershed, released Jan. 15, will provide the basis for whether it will exercise a novel preemptive veto of the project, though a top agency official says there is no timeline for making that decision.

In a press call announcing [the final draft of the study](#), EPA Region X Administrator Dennis McLerran called the request by tribes and environmental groups to take the novel step of preemptively veto the mine using section 404(c) of the Clean Water Act (CWA) "a big decision" for the agency, adding "we're going to take any decisions we make going forward very seriously."

Though McLerran said the document "does not recommend any policy or regulatory decisions," he and an agency research official detailed the assessment's findings that large-scale mining in the area "poses significant near- and long-term risks to salmon, wildlife and native Alaska cultures."

The study's release drew a quick response from advocates and critics of [a potential veto](#). The Natural Resources Defense Council in a release said, "The time for study is over. It's now up to EPA to take regulatory action to stop the Pebble Mine." The League of Conservation Voters added, "The EPA should use its regulatory authority under the Clean Water Act to finally reject this dangerous project once and for all."

But Sen. David Vitter (R-LA), the ranking member of the environment committee, said in a release that "EPA is setting a dangerous precedent by justifying its political prejudices on a flawed Assessment based on hypotheticals."

Sen. Mark Begich (D-AK) said his "decision whether to support the Pebble project will be based on this report."

EPA's pending action is viewed as a potential test of whether the agency has authority under section 404(c) to veto projects before a permit has been sought. While the Army Corps of Engineers issues permits under 404(c), the law also gives EPA the ability to block, or declare off limits, any disposal site "whenever" it finds that unacceptable adverse effects could result.

Many industry groups and Republicans, however, have charged that the agency cannot and should not use its 404(c) authority to block the project based on the watershed study before industry has even applied for a permit, arguing that the draft assessment is based on a hypothetical mine scenario, and not an actual permit application.

But the statute, as well as EPA and Corps regulations, expressly allows the agency to exercise its so-called veto authority even before the Corps has received a permit application.

Until now, much of the debate over the mine and any veto has also been hypothetical since the industry consortium developing the project has not yet applied for a permit. Sen. Lisa Murkowski (R-AK) last year urged the developers to quickly define the scope of the project -- and submit a permit request -- to thwart a possible section 404(c) veto.

The consortium has also suffered several setbacks in recent months, most notably when international mining giant Anglo American PLC withdrew from the project in September, leaving Northern Dynasty Minerals as the sole developer. A legal source previously told *Inside EPA* that Anglo's withdrawal might buy EPA more time to decide how to proceed, and that the "agency may decide, 'why go out on a limb given that the pace of the project appears to have slowed?'"

Range Of Options

Even so, EPA's McLerran said nine tribes in 2010 requested that EPA preemptively block the project, and "we owe the tribes that made a request to EPA a response. . . . We will continue to take those requests very seriously."

He added that the agency is considering a range of options -- including opting to not exercise any preemptive CWA authority. "It could be we will wait for a permit application to be filed," he said, adding that would allow EPA a regulatory role in an environmental impact statement developed under the National Environmental Policy Act (NEPA).

In the event the agency declines to issue a 404(c) veto, a summary of the study says it will "enable state and federal permitting authorities to make informed decisions to grant, deny, or condition permits and/or conduct additional research or assessment as a basis for such decisions."

"But we have not made any decisions at this point on what comes next," McLerran said.

Critics have called on EPA to abandon the preemptive veto and instead conduct the narrower NEPA review process, with an Alaska official testifying in October that the state fears the study could block any mining activity in the region.

EPA's study reviewed the effects of three potential mines: two-ton and six-ton scenarios outlined by the Pebble Limited Partnership in 2011 regulatory filings and a quarter-ton scenario developed to represent a smaller mine in the watershed.

The study estimated that between 24 and 94 miles of streams, and between 2 and 8 square-miles of wetlands, would be destroyed by the mine footprint, depending on its size. Additionally, it would affect the flow of between nine and 33 miles of streams. The study also found that wastewater treatment facilities at the mine would have to have a greater than 99 percent capture efficiency to prevent exceeding current water quality standards.

"It is unlikely that such a high capture efficiency could be routinely achieved over the lifetime of a mine," Jeff Frithsen, an official with EPA's research office, said during the press call.

He said a failure of a mine tailings storage facility at the dam could have "major catastrophic impacts on fish and fish habitats, large areas, for decades." Frithsen added that wastewater on the site "would have to be contained and managed into the foreseeable future."

He noted that the Bristol Bay watershed produces nearly half of the world's wild sockeye salmon, and the Pebble deposit would support the largest gold and copper mine in North America. The region's deposits, he said, are "low-grade," meaning that "greater than 99 percent of the ore taken out of the ground will end up as waste."

Asked by one reporter how he views industry's claim that mining and the fisheries in the watershed can co-exist under the right conditions, McLerran said, "the assessment speaks for itself. . . . We have identified many direct impacts on the habitat and direct impacts on the fishery." -- *Lee Logan* (llogan@iwpnews.com)

Daily News

Endangered Species Concerns Seen Delaying Final Cooling Water Rule

Posted: January 15, 2014

EPA is again in talks with environmentalists on the timing of its long-pending rule governing cooling water intake structures at power plants and industrial facilities, with the agency working through final Endangered Species Act (ESA) and other concerns that sources expect will delay the final measure at least two weeks.

On Jan. 14, the day the rule was previously due under a legally binding consent decree, EPA in a statement acknowledged it would miss the deadline but said it is working to finish the rule "as soon as possible."

The rule's deadline -- set in a consent decree with the environmental group Riverkeeper -- has been extended twice over the past few months. One extension, from Nov. 4 to Nov. 20, accounted for the 16-day government shutdown. The agency later received an additional extension to Jan. 14 in part to push the rule's release past the holidays.

"EPA is in discussions with the parties to the settlement agreement about the timing for completing the rule," the agency says.

The agency submitted the final cooling water rule July 30 for mandatory White House Office of Management & Budget (OMB) pre-publication review, which typically takes 90 days. The rule is still at OMB, according to the office's website.

EPA in June also requested a formal ESA review of the rule with the National Marine Fisheries Service and the Fish & Wildlife Service, a process that could bolster environmentalists' arguments for stricter requirements. That review, which was expected to take 135 days, was also delayed due to the government shutdown.

A source with knowledge of the issue says the rule's delay is "due to a continuing inter-agency consultation under the ESA," adding that it is unclear exactly what issues the species review is raising with the rule.

The source expects the delay to last "at least two weeks. My sense is they might take at least that long."

An industry source also says the delay could last "about two weeks," adding that many issues with the rule are "continuing to be discussed right down to the last minute. . . . I think EPA would like to avoid getting sued this time around, but frankly that's probably unavoidable."

Environmentalists have been pushing for stringent plant overhauls in the rule such as closed-cycle retrofits that would dramatically reduce water withdrawals and as a result reduce the the amount of fish killed by being sucked into cooling systems or pinned against intake structures.

Industry has favored alternative technologies, such as upgraded screens, barrier nets or reduced intake velocity, that would meet the rule's fish safety requirements but cost far less than retrofitting plants with cooling towers. EPA has pledged to include significant flexibilities in the cooling water rule.

An environmentalist earlier said that if the final rule "looks like the proposal . . . we would be forced to sue EPA because we don't think EPA's approach is lawful."

Daily News

Corps Says 6th Circuit Ruling Underscores CWA 404 Permitting Discretion

Posted: January 15, 2014

A recent appellate ruling rejecting an environmentalist challenge to a Michigan hardrock mine sidestepped questions about whether groundwater falls under the reach of the Clean Water Act (CWA), though the Army Corps of Engineers says the ruling offers a precedential statement of its discretion in administering its dredge-and-fill permitting program.

The Department of Justice (DOJ) on behalf of the Corps in November asked the U.S. Court of Appeals for the 6th Circuit to publish its ruling in *Huron Mountain Club v. Army Corps of Engineers, et al.*, upholding a lower court's decision not to issue an injunction of mining activities at the Eagle Mine because it did not obtain a CWA section 404 permit. But in a Nov. 19 order, the court without comment declined the request, leaving the decision unpublished.

Courts in future cases can still rely on and cite the *Huron Mountain Club* ruling, though as an unpublished opinion it would carry less weight and would not be binding.

The Oct. 30 opinion affirmed a lower court's denial of a preliminary injunction against the mine because it did not obtain a 404 permit, saying the Corps is not "required" to take an action under the CWA and the Rivers and Harbors Act (RHA) when a party has not submitted a permit application or requested a jurisdictional determination.

The ruling says "no other court has considered whether a federal agency has complied with the 'permitting mandates' of the RHA or CWA -- perhaps because no such mandate exists under the text of the statute."

DOJ had urged publication because it said the opinion was the first to apply two Supreme Court cases -- *Norton v. Southern Utah Wilderness Alliance (SUWA)* and *Heckler v. Chaney* -- to the dredge-and-fill permit program. Under *SUWA*, agencies can only be sued when they fail to act on a discrete action they are required to take. And in *Chaney*, the high court ruled that agency inaction generally falls under an agency's discretion and is not reviewable under the Administrative Procedure Act (APA).

The appellate court ruled that CWA section 404, like RHA section 10, "lacks language compelling the Corps to administer the CWA permitting program, and in fact includes language that explicitly leaves the process of issuing permits to the Corps' discretion." Thus, the case fails under the *SUWA* test, which allows APA review only when an agency does not take discrete, required action.

Environmentalists had also cited *Chaney* in arguing the Corps had failed to "administer the RHA and CWA permitting programs," saying the agency refused to bring an action based solely on the belief that it lacks jurisdiction, and is thus distinct from the facts at issue in *Chaney*.

The 6th Circuit panel ruled that argument is unpersuasive because the *Chaney* ruling said only that such situations could be reviewable under the APA but took no position on the issue. Also, the court noted that the Corps had not specifically determined that it lacks jurisdiction in the Michigan case, and thus it is "speculative" to say this is the only reason it declined enforcement.

DOJ argues the opinion "provides new analysis of these provisions" and that "[p]ublication would be of assistance to the federal defendants because the opinion clarifies the Corps' duties under these statutes and would provide guidance to future potential plaintiffs or other affected parties."

According to the DOJ motion, environmentalists did not oppose the motion, and industry co-defendants agreed with the motion.

Mining Activities

Environmentalists had sought an injunction of mining activities because the mine did not obtain a section 404 permit, arguing the mine's excavation activities would draw down the water table of a nearby river and related wetlands.

The mine company had argued that because excavation and backfill would take place well below the water table, it is not discharging to surface waters and is thus beyond the jurisdiction of the CWA.

At the trial level, Judge Robert Holmes Bell of the U.S. District Court for the Western District of Michigan ruled that environmentalists have not "shown a likelihood of success on the merits of its claim that the nature of [the mine's] underground extraction and subsequent backfill will involve the kind of discharges that are subject to the CWA, even under the broader reading of the statute."

Courts have split on whether the agency's CWA jurisdiction extends to groundwater, with some arguing the law specifically excludes groundwater and others saying it can be regulated as long as the groundwater is hydrologically connected to jurisdictional surface water.








Bell cited a 1985 Western District of Michigan ruling, *Kelley v. United States*, that said Congress did not intend to regulate groundwater under the CWA even when pollutants eventually migrate to surface waters.


But he also noted that another district court in the circuit, the U.S. District Court for the Middle District of Tennessee, ruled in 2011 in the case *Association Concerned Over Resources and Nature v. Tennessee Aluminum Processors Inc.* that groundwater is subject to CWA jurisdiction if it is a medium through which pollutants are channeled into jurisdictional waters.

Because the 6th Circuit upheld Bell's ruling in *Huron Mountain Club* based on the Corps' permitting discretion, it says "we need not consider the underlying merits of [the lower court's] position regarding section 10 of the RHA and section 404 of the CWA; even assuming that [the mine company] is violating the RHA and CWA, the Corps' decision to bring (or not bring) an enforcement action is discretionary and not subject to review by this court."

The latest ruling leaves the jurisdiction issue unsettled in the 6th Circuit, which has not issued an appellate-level decision on the issue. But the 5th and 7th circuits have excluded such jurisdiction, according to an *amicus* legal brief filed in the case by the conservative Pacific Legal Foundation.



The 9th Circuit has upheld the possibility of regulating groundwater under the CWA in the 2006 decision *Northern California River Watch v. City of Healdsburg*, the first major case following the Supreme Court's *Rapanos v. United States* ruling that created uncertainty for regulators about determining CWA jurisdiction. --Lee Logan (llogan@iwpnews.com)

Facility in W.Va spill flew under regulatory radar	01/16/2014	Washington Post - Online	DC	
 Robert Redford-opposed mine could devastate Alaska's Bristol Bay region	01/16/2014	Salt Lake Tribune - Online, The	UT	
 Testing the Waters: Investigating Questions About the West Virginia Chemical Spill	01/16/2014	New York Times - Online, The	NY	
 W.Va. spill shows vulnerability of water supply	01/16/2014	Fresno Bee - Online	CA	
 BRISTOL BAY: Mining poses 'significant' threat to Alaska watershed -- EPA	01/15/2014	E&E News PM	DC	
 Cincinnati Innovates announces water sensor challenge winners	01/15/2014	Cincinnati Enquirer - Online	OH	
 EPA report	01/15/2014	Star	MN	

	: Large-scale mining in Bristol Bay region could hurt fish, Alaska Native culture		Tribune - Online	
	EPA: Mining poses risks to Bristol Bay salmon	01/15/2014	Capital - MD Online, The	
	EPA: Spill size not yet known	01/15/2014	Charleston WV Gazette - Online, The	
	EPA: Still trying to estimate scope of spill	01/15/2014	Charleston WV Gazette - Online, The	
	Giant Alaskan mine could devastate salmon, EPA says	01/15/2014	Star Tribune - MN Online	
	Gov. Brown bids to change authority over drinking water money	01/15/2014	Fresno Bee - CA Online	
	Mining could devastate Alaska's Bristol Bay region	01/15/2014	Lexington KY Herald-Leader - Online	
	Mining could devastate Alaska's Bristol Bay salmon	01/15/2014	Capital - MD Online, The	
	West Chicago Public Library District Works with EPA o	01/15/2014	Chicago Tribune - IL Online	

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**Digitization
Project**

News

Headline: Facility in
W.Va spill flew
under regulatory
radar |  

Outlet Full

Name: Washington
Post - Online

News

Text: CHARLESTON,
N. W. Va. — The
facility whose
chemical spill
contaminated the
water supply for
300,000 West
Virginia residents
was barely
scrutinized, flying
largely under the
radar of government
regulators who
viewed it as a low-
risk operation — but
in reality, a problem
at a key holding wall
went undetected and
unreported at
Freedom Industries
Inc.

The chemicals stored
at Freedom's facility
near the Elk River
are not considered
hazardous enough by
regulators to prompt
routine inspections.
On a normal day, it
never created
chemical waste that
went into the
environment. As a
result, the chemical
storage terminal was
a low priority for
regulators, who must
pick and choose how
to allocate scarce
manpower when
enforcing

environmental laws.

“I think that the loophole that this facility fell into is because it was not a hazardous material, it flew under the radar,” said Randy Huffinan, cabinet secretary of West Virginia's Department of Environmental Protection, which enforces environmental laws.

Freedom's storage terminal holds millions of pounds of chemicals — including some used in coal processing — just a mile and a half upstream from pipes that take in water for a public drinking supply. The distance left little opportunity for chemicals to dilute in the event of a spill.

And those chemicals were stored behind a brick-and-concrete block dike that seems to have had structural problems — an issue the company apparently was aware of. A state official says the president of Freedom told regulators that \$1 million had been put into an escrow account to fix the wall that ultimately failed to hold Thursday's spill, which resulted in a five-day ban on tap water. The ban was

lifted for some areas
Monday afternoon.

State environmental
officials would not
have seen the dike
problems — they say
they never had
reason to inspect the
site.

Containment dikes
are supposed to be a
last line of defense
against spills,
preventing chemicals
from flowing into the
surrounding
environment.
Concrete
containments are
susceptible to
cracking over time
and need to be
maintained, said
Susan Burns, a
professor of civil
engineering at
Georgia Tech. She
was not familiar with
the layout or
equipment at
Freedom Industries.

“A secondary
containment barrier,
assuming they are
properly engineered
and maintained, they
typically work quite
well,” she said. “It’s
unusual for us to
have these types of
failures.”

The situation at
Freedom is probably
not unique. On paper,
the chemical storage
terminal in West
Virginia — like
similar sites
nationwide — simply
did not fall into any
inspection program,

authorities said.
Neither the U.S.
Environmental
Protection Agency
nor the state DEP
sent inspectors
before the spill,
agency officials said.

Because the site only
stored and did not
manufacture
chemicals, it did not
need permits to
discharge pollutants
into the air or water.
State officials said it
was not required to
have a ready-to-go
plan for containing
spills. It was not
cited for any
environmental
violations, according
to a federally run
database. The last
inspection report for
the site dates to 2001,
when it was a
refinery owned by a
different company
and operating under
more stringent rules,
state environment
department
spokesman Tom
Aluise said Monday.
It is possible the
agency could find
additional reports as
it digs through its
records. Freedom
didn't buy the
property until last
month.

Officials at the
Occupational Safety
and Health
Administration once
scheduled an
inspection in 2009,
then canceled it after
realizing the
company did not fall

under any of its special emphasis programs, OSHA spokesman Jesse Lawder said.

Although regulators never visited, it appears company officials were aware of issues with the containment dike. Freedom Industries President Gary Southern told state regulators that \$1 million was put into an escrow account to repair the wall, said Mike Dorsey, the DEP's director of emergency response and homeland security. Company officials have not returned calls seeking comment on the condition of the dike.

“The wall is an old cement block wall, and there's some problems with the mortar in a couple places,” Dorsey told The Associated Press. “And it came out through that.”

On an average day last year, the facility was keeping anywhere from about 11.4 million to nearly 63.5 million pounds of 10 chemicals in above-ground storage tanks and at least one warehouse, according to an inventory sheet filed with state regulators in February 2013. The AP obtained those

inventories using West Virginia's open-records law.

In addition to the coal-cleaning chemical that spilled, 4-methylcyclohexane methanol, the materials on site included such chemicals as calcium chloride and soda ash, which is sometimes used to treat drinking water.

Experts say many of the chemicals are used in industrial operations and not considered extremely hazardous, though the chemical that spilled is harmful if swallowed and can cause skin and eye irritation.

“The chemicals on this list would not be chemicals where a red flag would go up and people would be extra cautious to ensure this is housed safely,” said Rolf Halden, director of the Center For Environmental Security at Arizona State University, who reviewed the inventory list.

The chemicals at the property included up to 1 million pounds of 4-methylcyclohexane methanol, which is used to separate bits of rocks and clay from mined coal. Somehow, Tank 396



suffered a 1-inch
hole in its bottom,
allowing the
chemical to pool on
the ground and
somehow go through
the dike,
contaminating the
water.

“It's not like it filled
up the whole thing
like a bathtub or a
swimming pool,”
Dorsey said.

Henry reported from
Atlanta. Associated
Press writers
Jonathan Mattise and
Brendan Farrington
contributed to this
report from
Charleston.

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News

Headline: Robert
Redford-opposed
mine could devastate
Alaska's Bristol Bay
region |  

Outlet Full

Name: Salt Lake
Tribune - Online,
The

News Text: Juneau,
Alaska • A
government report
indicates a large-
scale copper and gold
mine in Alaska's
Bristol Bay region
could have
devastating effects on
the world's largest
sockeye salmon
fishery and adversely
affect Alaska
Natives, whose
culture is built
around salmon.

The U.S. Environmental Protection Agency on Wednesday released its final assessment of the impact of mining in the Bristol Bay region. Its findings are similar to those of an earlier draft report, concluding that, depending on the size of the mine, up to 94 miles of streams would be destroyed in the mere build-out of the project, including losses of between 5 and 22 miles of streams known to provide salmon spawning and rearing habitat. Up to 5,350 acres of wetlands, ponds and lakes also would be lost due to the mine footprint.

"Our report concludes that large-scale mining poses risks to salmon and the tribal communities that have depended on them for thousands of years. The assessment is a technical resource for governments, tribes and the public as we consider how to address the challenges of large-scale mining and ecological protection in the Bristol Bay watershed," EPA regional administrator Dennis McLerran said in a statement.

The battle over the proposed Pebble Mine has been waged far outside the state's borders, with environmental activists like actor Robert Redford opposing development. Multinational jewelers have said they won't use minerals mined from the Alaska prospect, and pension funds from California and New York City pressured London-based Rio Tinto, a major shareholder of mine owner Northern Dynasty Minerals Ltd., to divest last year.

The Bristol Bay watershed produces about 46 percent of the world's wild sockeye salmon, and salmon are key to the way of life for two groups of Alaska Natives living in the region, Yup'ik Eskimos and the Dena'ina. The report said the response of Native cultures to any mining impacts was unclear, though it said it could involve more than the need to compensate for lost food and include some degree of cultural disruption.

EPA initiated the review process in response to a request in 2010 from tribes and others in the

region concerned about the impact of the proposed Pebble Mine on Bristol Bay fisheries. The report, however, is not meant to be about a single project.

Some see the mine as a way to provide jobs in the region, but others fear it would disrupt or devastate the local way of life. A citizens' initiative scheduled to appear on the August primary ballot would require legislative approval for any large-scale mine in the region.

Supporters of the EPA process hoped it would lead the agency to block or limit the project, while opponents saw it as an example of government overreach and feared it would lead to a pre-emptive veto.

EPA has said its goal with the watershed assessment is to get the science right. In the report, EPA said the assessment will inform possible future government actions.

EPA said the report is not an in-depth assessment of a specific mine but a study of the possible impacts of reasonably foreseeable mining activities in the

region. The agency said it drew on a preliminary plan published by Northern Dynasty Minerals and consulted with mining experts on reasonable scenarios.

The president of Northern Dynasty Minerals, in November, said if it appeared EPA was moving to take pre-emptive steps to in any way restrict permitting, the company would probably launch the permitting process on its own without waiting for a new partner.

The Pebble Partnership has called the mine deposit one of the largest of its kind in the world, with the potential of producing 80.6 billion pounds of copper, 107.4 million ounces of gold and 5.6 billion pounds of molybdenum over decades.

While EPA focused on the effects of one mine, the agency, in its report, said it's possible that several mines could be developed in the watersheds studied, each of which would pose risks similar to those highlighted in the report.

The report also found that no mine would

the chemical spill and the resulting contamination of the water supply for 300,000 people.

News

Headline: Testing the Waters: Investigating Questions About the West Virginia Chemical Spill



Outlet Full

Name: New York Times - Online, The

News Text: Last week, the spill of an industrial chemical into a West Virginia river contaminated the water supply for 300,000 people, setting off renewed debate over regulating the chemical industry.

Below, we offer some ideas for teaching about this industrial accident, either by focusing on West Virginia alone, or widening the lens to include other industrial spills, inquiries into the water supply or regulation in general.

What's the story?

Have students read about the chemical spill in the Elk River in West Virginia, and use the Learning Network handout The 5 W's and an H to summarize the story.

Then, have students work in pairs to write a script for an evening news segment about the chemical spill, focusing on how the community has been affected, what questions the spill raises, and when the water will be safe to use again.

Is regulation too lax in West Virginia?

A Times article on West Virginia's regulation of the chemical industry begins:

Last week's major chemical spill into West Virginia's Elk River, which cut off water to more than 300,000 people, came in a state with a long and troubled history of regulating the coal and chemical companies that form the heart of its economy.

Students can read the article to discuss the role of federal and state regulation in protecting natural resources, taking into account the perspective of many who argue that is far too light. For instance, students might consider the viewpoint of Angela Rosser, who heads the West Virginia Coalition. In the article, she says "We can't just point a

single finger at this company. We need to look at our entire system and give some serious thought to making some serious reform and valuing our natural resources over industry interests.” What does she mean? What do critics say are some of problems with West Virginia's oversight of its chemical industry?

Taking a broader perspective, students also might consider renewed criticism of how the federal government regulates toxic substances in general. Specifically, students could explore problems with the federal Toxic Substances Control Act, which even the American Chemistry Council, a trade group that represents the industry, believes needs to be strengthened.

As they read, students might use the Problem-Solution handout to help organize the information they collect, then share their ideas for better ways to regulate the chemical industry. If they are so inclined, they might even write to their representatives in Congress to express their points of view on the Chemical

Safety Improvement Act.

What's in my water?

West Virginia authorities announced this week that the water in some areas is safe to use again, but many residents don't believe it. Here is just one tweet from Jan. 15:

What is the process by which water is deemed safe for drinking and bathing? According to this article, how did West Virginia test the water to deem it safe, and why do some scientists say the process is inadequate?

To connect the West Virginia spill with their own lives, students might research to find out where the water they drink comes from and what risks, if any, their water supply faces. Those in communities of 100,000 or more residents can also search for water quality reports made available through the Environmental Protection Agency.

Students might also scan some of the articles in the Times's series Toxic Waters, or more recent coverage of water

quality to gain insight into the issue, the legislation that exists to protect the water supply it and how to improve that legislation.

To wrap up, students could complete the Connecting the New York Times to Your World handout and share their answers with the class.

What is 4-methylcyclohexane methanol?

The chemical in last week's spill was 4-methylcyclohexane methanol, known as MCHM. The leak at the Elk River storage facility came from a ruptured tank holding this chemical, which is used to wash coal. According to this article, emergency rooms in West Virginia have treated about 169 patients for symptoms related to its exposure

What can students learn about this chemical, how it washes coal, and how it might affect the human body? What questions do they still have about it that they might research? Why is so little known about this chemical?

What have been the effects of this spill on the local community?

To imagine what the 300,000 citizens of West Virginia have been experiencing, ask students to work in pairs to consider what would happen if their entire community was without potable water for five or more days. Have them list as many effects of a local water shortage as they can think of, then invite the class to share ideas and make a longer a common list.

Then, scan Times articles about West Virginia during this emergency, noting the effects on the community that they can find. How many were on the class list? What do they predict will be the continuing effects of this emergency even after safe water is restored across the state? Why?

How does it compare to other chemical spills?

After students have learned about the West Virginia spill, they might research some of the other major chemical spills to have affected parts of the United States, such as the Deepwater Horizon spill in the Gulf of Mexico, the 2008 coal ash spill in

Tennessee and the recent spill of close to 900,000 gallons of oil over a farm in North Dakota. What similarities and differences can they find?



Or, students could summarize the arguments for and against approval of the Keystone XL pipeline in the Room for Debate discussion Are Oil Pipelines Safer Now? using the Learning Network's Debatable Issues handout.

Students also could research the groundwater quality concerns raised by hydraulic fracturing, or fracking, a process that extracts natural gas from the earth. To explore this topic in more depth, check out the Learning Network lesson plan, Fuel For Debate: Examining The Natural Gas-Fracking Controversy. In addition, students might explore how the federal government responds to chemical spills and other disasters in coastal areas.

Standards

This resource may be accessed below:

News

Headline: W.Va. spill shows vulnerability of water supply |  

Outlet Full

Name: Fresno Bee -
Online

News

Text: CHARLESTON

N, W.Va. — It's a nightmare scenario that became all too real in West Virginia: a chemical seeped into the water supply and threatened to sicken hundreds of thousands of people.

While no one became seriously ill from last week's chemical spill, some homeland security experts said the emergency was proof the United States has not done nearly enough to protect water systems from accidental spills or deliberate contamination.

Officials found out about the spill when people started calling in complaints about a strong licorice-type smell in the air. West Virginia American Water, which supplies 300,000 people with water in the central part of the state, said it would not have detected the chemical because it's not a substance utilities test for. Before the spill, no standards existed for measuring the chemical, 4-methylcyclohexane methanol, in water, the utility said.

Congress last

addressed water security in a 2002 law that required utilities to assess their vulnerabilities and report them to the Environmental Protection Agency, but there was no mandate to correct the shortcomings. Subsequent efforts to establish security regulations for water systems and treatment plants have gone nowhere, despite support from the Obama and Bush administrations.

A law requiring chemical plants to develop security plans was enacted in 2007, but it specifically exempts wastewater treatment plants even though they use many of the chemicals regulated under the program. Critics said the law did not do much to make chemical plants safer either, because it didn't give the Department of Homeland Security enough enforcement authority.

A 2009 bill that passed the House but died in the Senate would have given the EPA the authority to enforce the same regulations for water treatment facilities.

Critics say water system security isn't being addressed because there's never

been a wide-scale, deliberate attempt to poison the water supply.

"If this were an intentional poisoning of the water, all of a sudden you would see Congress demanding, 'Where are the plans? Why hasn't something been done?'" said Michael Greenberger, director of the Center for Health and Homeland Security at the University of Maryland. "There aren't the resources to match the problem here. And I'm sure, overtly or covertly, the thinking is, 'This has never happened.' No one's ever poisoned the water system."

Killing or sickening large numbers of people through water contamination would not be easy. Someone would need access to a large amount of chemicals and be able to dump them in a sensitive spot, which would likely attract attention, said Stephen Flynn, director of the Center for Resilience Studies at Northeastern University.

"It turns out to be fairly difficult to cause a life-threatening level of danger by essentially

attacking the water system with chemicals," Flynn said. "You need a lot of chemicals, and it becomes really challenging operationally for bad people to do this on any real scale."

While no one became seriously ill in West Virginia, it was hugely disruptive as 300,000 people went without tap water for at least five days. And the long-term effects of exposure to the chemical are unknown.

Stricter regulation of chemicals and water facilities would prevent such accidents and deter terrorists, Flynn said.

The West Virginia spill is provoking some action on Capitol Hill. The Senate Environment and Public Works Committee, chaired by Sen. Barbara Boxer, D-Calif., is investigating the spill and planned two hearings to explore how similar situations could be prevented.

"We need to make sure that we identify dangerous chemicals and are making progress on chemical reforms," Boxer told reporters Tuesday.

Last year, President Barack Obama signed an executive order directing federal agencies that oversee dangerous chemicals to better share information in order to enforce existing regulations. The order was signed in response to an explosion at a fertilizer plant in West, Texas, that killed 12 people, but it could end up having some effect on regulation of water treatment plants, said Rick Hind, legislative director of Greenpeace, which has pushed for stronger controls on chemicals.

There were warnings about the Elk River's susceptibility to chemicals. A report prepared by West Virginia officials in 2002 in compliance with the Safe Drinking Water Act found that the water system in the Kanawha Valley, the area affected by the spill, had a high susceptibility to potential contamination. The report identified 53 potential contaminants to the water system, all but four of them from commercial or industrial sources. The area is known locally as Chemical Valley.



It's not clear whether anything was done to address the report's recommendations, and state officials said they were unaware of any more recent studies. The Safe Water Drinking Act does not give any additional authority to states or utilities to reduce or eliminate threats, said Lynn Thorp, of Clean Water Action.

West Virginia American Water and other utilities serving populations of 50,000 or more were required to submit vulnerability assessments to the EPA in 2003.

The EPA keeps the assessments secret, and while it analyzed them to ensure they complied with the law, the agency has no authority to force water companies to enhance security. The assessments have not been updated since 2003.

Follow Ben Nuckols
<http://ben.nuckols.com/>

News

Headline: BRISTOL BAY: Mining poses 'significant' threat to Alaska watershed --
EPA |  

Outlet Full

Name: E&E News
PM

News Text: A major open-pit mining

operation in southwestern Alaska's Bristol Bay watershed would create "significant" risks for the salmon fishery and tribal communities that depend on it, U.S. EPA said in a long-anticipated report today.

Prepared in response to the potential Pebble Mine, a copper and gold project, the final watershed assessment offers a scathing critique of mining in the watershed, saying a sprawling mine would destroy between 24 and 94 salmon streams and 1,300 to 5,350 acres of wetlands, ponds and lakes.

Under normal operations, a large-scale mine would have direct and indirect impacts on fish in 13 to 51 miles of streams, the report says. EPA also predicts problems stemming from road and pipeline pollution.

"Our report concludes that large-scale mining poses risks to salmon and the tribal communities that have depended on them for thousands of years," said EPA Region 10 Administrator Dennis

McLerran, whose Seattle-based office has jurisdiction over Alaska.

EPA said it prepared the assessment in response to concerns about the potential Pebble mine from several Alaska tribes. They want the agency to use its Clean Water Act veto power to block key mining permits and protect the largest sockeye salmon fishery on the planet. The Bristol Bay ecosystem generated \$480 million in economic activity in 2009, EPA said.

The Pebble project, backed by Northern Dynasty Minerals Ltd., has been promoted by its developers as one of the largest mining projects in the world. Its boosters, including some Native tribes, have cited its own economic development potential.

EPA said today that it will now begin looking at how to respond to the tribes. "A response to the tribes is what we're most concerned about developing next," McLerran said. "We have no set timeline on that."

Asked whether Pebble developers

should forget about even applying for permits, McLerran responded, "No, that is not what we're saying." He said EPA may wait for the company to request approval to mine before deciding how it will proceed.

A common criticism of previous versions of the watershed assessment has been EPA's reliance on hypothetical mine scenarios. Pebble developers have also accused EPA of not paying enough attention to modern mining methods.

In a conference call this afternoon, McLerran and EPA scientist Jeff Frithsen said they analyzed credible mining scenarios in areas within the Bristol Bay watershed open to mining and where minerals are available. They said the agency looked at Pebble's own preliminary documents.

"This is a low-grade ore deposit," Frithsen said, predicting a significant amount of waste, with a tailings dam "higher than the Washington Monument."

Frithsen added, "Enormous quantities of wastewater would

have to be contained and managed into the foreseeable future."

And he said it would be difficult to imagine a scenario with no accidents or exemplary treatment of water releases. As a result, the report predicted elevated stream copper levels.

Frithsen noted that the area's tribal communities are "nutritionally, economically and culturally dependent" on Bristol Bay's natural resources.

EPA and other Pebble critics have expressed concern about the mine leading to other projects in the area. And Frithsen said that "any plan to mine such low-grade ore in the Bristol Bay watershed would have elements similar to our scenario."

EPA officials emphasized what they see as the thorough nature of their review and input from members of the public, plus independent scientists.

Frithsen called it a "rigorous independent peer review." McLerran cited more than 1 million public comments and peer reviews by

independent
scientists.
Mine developers
respond

Pebble developers,
who have been
dealing with their
own troubles after
Anglo American
PLC pulled out of the
project, are strongly
objecting to the
report's grim
findings.

Pebble LP continues
to analyze EPA's
product, a statement
said. Still, CEO John
Shively said the
agency's process was
rushed, underfunded
and sloppy.

"It must be
remembered that the
report does not assess
the effects of the
Pebble Project as we
have not finalized
nor submitted a
project for regulatory
evaluation," he said
in a statement. "The
report is based upon
a so-called
'hypothetical mine' of
the EPA's design."

Shively
said EPA "has
grossly over-
estimated the effects
of its under-
engineered project.
PLP has spent many
years and \$600
million dollars on
engineering and
environmental
studies to develop a
plan for a 21st
century mine."

He added, "We understand the critical role salmon plays in this region of Alaska, both culturally and commercially. This is why we have dedicated significant time and resources to our environmental studies program and why we have taken time to design a responsible project for developing the mineral resource at Pebble."

For his part, McLerran said, "We've made no final decision on regulatory actions. It's not our response to the tribes. It's the scientific foundation."

[Click here to read a summary of the](#)

News

Headline: Cincinnati Innovates announces water sensor challenge winners



Outlet Full

Name: Cincinnati Enquirer - Online

News

Text: Cincinnati Innovates has announced the winners of its first \$10,000 Water Sensor Challenge.

The challenge solicited ideas for a new generation of low-cost, low-maintenance,

wireless water level sensors to help utilities meet sanitary and combined sewer overflow requirements set by the Clean Water Act.

Krishna Priya of India won a first prize award of \$6,000 for a sensor solution that combines two types of sensors to generate more accurate detection of overflow incidents. A prototype exists and is ready to be tested.

Tamus Szalay of the United States and Andre Villemare of Canada will receive \$2,000 for their technologies that connect low-cost sensors with well-established communications systems to provide real time monitoring.

The Water Challenge was a collaboration between the U.S. Environmental Protection Agency, Cincinnati Innovates, InnoCentive, Metropolitan Sewer District of Greater Cincinnati (MSD) and Sanitation District No. 1 of Northern Kentucky (SD1), Stantec, and Confluence.

Judges chose the winners from 56 entries. Submissions came from countries including



Afghanistan,
Denmark, India,
China and Uganda.

The Cincinnati
Innovates
competition has
provided more than
\$350,000 in grant
awards to date.

The goal of
Cincinnati Innovates
is to highlight the
incredible
commitment to
innovation and
collaboration we
have right here in
Cincinnati, said
Cincinnati Innovates
founder Elizabeth
Edwards.

With the one of the
newest examples

News

Headline: EPA repor
t: Large-scale mining
in Bristol Bay region
could hurt fish,
Alaska Native
culture |  

Outlet Full

Name: Star Tribune -
Online

News

Text: JUNEAU,
Alaska — A
government report
indicates a large-
scale copper and gold
mine in Alaska's
Bristol Bay region
could have
devastating effects on
the world's largest
sockeye salmon
fishery and adversely
affect Alaska
Natives, whose
culture is built
around salmon.

The U.S. Environmental Protection Agency on Wednesday released its final assessment of the impact of mining in the Bristol Bay region. Its findings are similar to those of an earlier draft report, concluding that, depending on the size of the mine, up to 94 miles of streams would be destroyed in the mere build-out of the project, including losses of between 5 and 22 miles of streams known to provide salmon spawning and rearing habitat. Up to 5,350 acres of wetlands, ponds and lakes also would be lost due to the mine footprint.

The battle over the proposed Pebble Mine has been waged far outside the state's borders, with environmental activists like actor Robert Redford opposing development. Multinational jewelers have said they won't use minerals mined from the Alaska prospect, and pension funds from California and New York City pressured one of the mine's former backers, London-based Anglo American PLC, to drop financial

support.

The Bristol Bay watershed produces about 46 percent of the world's wild sockeye salmon, and salmon are key to the way of life for two groups of Alaska Natives living in the region, Yup'ik Eskimos and the Dena'ina. The report said the response of Native cultures to any mining impacts was unclear, though it said it could involve more than the need to compensate for lost food and include some degree of cultural disruption.

EPA initiated the review process in response to a request in 2010 from tribes and others in the region concerned about the impact of the proposed Pebble Mine on Bristol Bay fisheries. The report, however, is not meant to be about a single project.

Some see the mine as a way to provide jobs in the region, but others fear it would disrupt or devastate the local way of life. A citizens' initiative scheduled to appear on the August primary ballot would require legislative approval for any large-scale mine in the region.

Supporters of the EPA process hoped it would lead the agency to block or limit the project, while opponents saw it as an example of government overreach and feared it would lead to a pre-emptive veto.

EPA has said its goal with the watershed assessment is to get the science right. In the report, EPA said the assessment will inform possible future government actions.

EPA said the report is not an in-depth assessment of a specific mine but a study of the possible impacts of reasonably foreseeable mining activities in the region. The agency said it drew on a preliminary plan published by Northern Dynasty Minerals Ltd., currently the sole owner of the project after Anglo American PLC withdrew last year, and consulted with mining experts on reasonable scenarios.

The president of Northern Dynasty, in November, said if it appeared EPA was moving to take pre-emptive steps to in any way restrict permitting, the



company would probably launch the permitting process on its own without waiting for a new partner.

The Pebble Partnership has called the mine deposit one of the largest of its kind in the world, with the potential of producing 80.6 billion pounds of copper, 107.4 million ounces of gold and 5.6 billion pounds of molybdenum over decades.

While EPA focused on the effects of one mine, the agency, in its report, said it's possible that several mines could be developed in the watersheds studied, each of which would pose risks similar to those highlighted in the report.

The report also found that the mine could pose risks to the Bristol Bay watershed, which is home to the world's largest salmon population.

News

Headline: EPA: Mining poses risks to Bristol Bay salmon
|  



Outlet Full

Name: Capital - Online, The
News Text: A government report indicates a large-scale copper and gold mine in Alaska's Bristol Bay region

could have
devastating effects on
the world's largest
sockeye salmon
fishery and adversely
affect Alaska
Natives, whose
culture is built
around salmon.

Pro. En. The U.S. Sat. on
the Elk River. The spill
could have devastating
effects on the world's
largest sockeye salmon
fishery and adversely
affect Alaska Natives,
whose culture is built
around salmon.

News

Headline: EPA:
Spill size not yet
known |  

Outlet Full

Name: Charleston
Gazette - Online, The
News

Text: CHARLESTON
N, W.Va. --

Government
investigators are still
trying to determine
exactly how much of
a toxic chemical that
spilled at the
Freedom Industries
tank farm along the
Elk River soaked into
the ground and could
later leach into the
river, a top U.S.
Environmental
Protection Agency
official said
Wednesday evening.
"An investigation is
going on to figure out
where there might be
any materials in the
ground and, so far,
that investigation is
still going
on," EPA regional
administrator Shawn
Garvin told the
Charleston on
Wednesday.



Asked if that meant officials simply don't know how much of the "Crude MCHM" is still in the soil and could reach the river without proper containment and cleanup measures, Garvin said, "I think that's probably . . . we're still investigating to ensure we have a complete answer to that." Garvin praised West Virginia officials and other federal agencies for what he said was a "swift" response to the spill. "Clearly, if you've got a drinking water system that serves up to 300,000 people that is compromised, it's a fairly serious incident," he said. "That's why we got engaged as quickly as we could." Initially, Garvin said he thought officials had a "pretty good handle" on what he called "source control." Asked if that meant investigators knew how much material had leaked and had been able to ensure that no more of it would ever reach the Elk River or the West Virginia American Water intake 1.5 miles downstream, Garvin offered a more complicated answer. "There's a lot of activity on the ground, with creating

trenches," he said.
"There's also boring
going on and other
things going on to
get a handle on
answering the
question that you
have raised, to see
how much we can
tell that might be in
the ground that has
the potential of
leaching out into the
water body." Randy
Huffman, secretary
of the West Virginia
Department of
Environmental
Protection, said later
that he agreed with
Garvin. "We don't
know exactly. Maybe
it's not clear is the
right word," Huffman
said. "The response
to that is continued
remediation efforts,
which we're going to
ensure continues to
take place." Huffman
added, "I can say for
certainty that the
state of West
Virginia is not going
to abandon that site
or abandon the
remediation efforts
until there is 100-
percent certainty that
the risk of this stuff
getting back in the
water has been
eliminated -- not just
minimized. "I know
what my boss is
going to say about
that, and I think I can
make that statement,"
said Huffman, who is
a gubernatorial
appointee. "We just
can't have that
possibility existing."
Asked how long that
kind of a cleanup

would take, Huffman said, "That's likely the multimillion-dollar question, I think." Huffman also said Wednesday that a trench dug on the site to try to block water runoff from the operation had been filling with water, which officials believe might have been coming from a water line leak along Barlow Drive. West Virginia American Water replaced a line Wednesday to fix that problem, Huffman said. Garvin's remarks Wednesday evening were the EPA's first significant public comments about the spill a week ago that fouled drinking water supplies for 300,000 people across a nine-county region around Charleston.

Over the EPA has
been trying to
determine the
scope of the spill
and how much
chemical was
spilled.

News

Headline: EPA: Still trying to estimate scope of spill |  

Outlet Full

Name: Charleston Gazette - Online, The News

Text: CHARLESTON, W.Va. -- Government investigators are still trying to determine exactly how much of a toxic chemical spilled from the Freedom Industries

tank farm along the Elk River, how much of that material soaked into the ground and how much could later leach into the water, a top U.S. Environmental Protection Agency official said this evening.

"An investigation is going on to figure out where there might be any materials in the ground, and so far that investigation is still going on," EPA regional administrator Shawn Garvin told The Charleston Gazette.

Garvin's remarks were EPA's first significant public comments about the spill last Thursday that fouled drinking water supplies for 300,000 people across a nine-county region around Charleston.

Over the last four years, EPA has become an almost-constant punching bag for West Virginia's coal industry and the politicians who support it.

Mining officials and elected leaders repeatedly denounce what they call a "war on coal," and blast EPA regulatory and enforcement efforts as "federal

overreach."

But in the ongoing crisis since the chemical spill, EPA officials are nowhere to be found prior to Garvin's interview. Agency officials may be working behind the scenes, but they've not appeared at government briefings and have refused numerous interview requests.

On Tuesday, a spokeswoman for EPA administrator Gina McCarthy provided this prepared statement:

"EPA continues to work closely with other federal and state agencies in West Virginia as they begin implementing a plan for getting the water system back on line," said the statement, provided by EPA press officer Alisha Johnson.

The statement continued, "The State of West Virginia and the West Virginia American Water Company (WVAWC) are developing a plan for flushing the system, along with sampling and analysis, that will allow residents to begin using their water as soon as possible. State and Federal (ATSDR/CDC)

health officials have agreed that a level of 1 part per million (ppm) of methylcyclohexanem ethanol is protective of public health and the State/WVAWC will use the flushing process to assure that the 1 ppm level is achieved throughout the system.

"The EPA supports this approach and has offered sampling and monitoring assistance to the State during the restart efforts," the statement said.

The Charleston Gazette asked to interview EPA officials who are assisting in all aspects of the agency's response -- from water sampling to cleanup to determining what level of the chemical was safe.

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The Charleston Gazette asked to interview EPA officials who are assisting in all aspects of the agency's response -- from water sampling to cleanup to determining what level of the chemical was safe.

Like the CDC and the Agency for Toxic Substances and Disease Registry, EPA has so far declined to make any of its officials available for interviews.

Asked why, Johnson told the Gazette, "Our role right now is very limited. As we look at this, we are looking at where we have a role. Right now, that has not been determined."

EPA regional officials in Philadelphia have also refused to answer questions from the Gazette, and have not appeared at any media briefings. Late last week, calls to EPA's regional offices were bounced between several different public

affairs officers.

Eventually, Terri White, EPA's top regional spokeswoman, said in an email message Friday afternoon, "EPA is closely monitoring the chemical spill in Charleston and is working closely with FEMA and other federal partners who are responding to the incident.

"The Agency has deployed on-scene coordinators to assist with water sampling and stands ready to offer additional assistance to the State of West Virginia, who is leading the response on the spill," the message said.

Asked again this week for an interview with an EPA official involved in the incident response, White said in another email message, "Given that EPA's "on-scene coordinator is not the on-scene coordinator for the incident, you'll need to speak with state officials."

Despite promises from President Obama that his would be a transparent administration, the Obama EPA has been criticized by

groups including the Society of Environmental Journalists and the Union of Concerned Scientists for not being open with the press, the public and the scientific community. Republican leaders in Congress have also seized on the agency's closed-door policies in their efforts to clamp down on EPA regulatory efforts.

Earlier this week, Sen. Jay Rockefeller urged the EPA and the CDC to launch a study of the potential long-term impacts of the spill and its aftermath.

On Wednesday, EPA officials unveiled a website titled, "Charleston WV Chemical Leak" which lists its on-scene coordinators, but provides few details about what EPA is or isn't doing.

"All over its website the EPA calls itself a public health agency," said Celeste Monforton, a public health researcher with George Washington University. "A key tenet of public health is communicating openly with the public and being

present to respond to
public concern --
even when it doesn't
have all the answers.

"EPA's failure to do
so damaged the
public confidence
that EPA has the
community's best
interests in mind,"
Monforton said
Wednesday.

Reach Ken Ward Jr.
at 304.424.1700
or kward@wvnet.net

News

Headline: Giant
Alaskan mine could
devastate
salmon, EPA says

|  

Outlet Full

Name: Star Tribune -
Online

News

Text: JUNEAU,
Alaska

The U.S.
Environmental
Protection Agency on
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its final assessment
of the impact of
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including losses of 5
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Up to 5,350 acres of
wetlands, ponds and

lakes also would be lost. The report found that large-scale mining poses risks to salmon and the tribal communities that have depended on them for thousands of years, said EPA regional administrator Dennis McLerran. The EPA's assessment was released just as Minnesota is debating whether to launch a new copper mining industry in northeast Minnesota, one of the most contentious environmental issues the state has faced in decades. The first of three public meetings will be held in Duluth on Thursday on plans for a \$650 million open pit mine proposed by PolyMet Mining Corp. near Hoyt Lakes.

The company says it will create 300 to 360 permanent jobs for the 20-year life of the mine. But, as the EPA assessment lays out, there are significant environmental risks as well.

The battle over the proposed Pebble Mine has been waged far outside Alaska's borders, with environmental activists such as actor Robert Redford opposing development. Multinational

jewelers have said they won't use minerals mined from the Alaska prospect, and pension funds from California and New York City pressured London-based Rio Tinto, a major shareholder of mine owner Northern Dynasty Minerals Ltd., to divest last year.

The Bristol Bay watershed produces about 46 percent of the world's wild sockeye salmon, and salmon are key to the way of life for two tribal groups in the region, Yupik Eskimos and the Denaina. The report said the response of tribal cultures to mining impacts was unclear, although it said it could involve more than the need to compensate for lost food and include cultural disruption.

EPA initiated the review process in response to a request in 2010 from tribes and others in the region concerned about the impact of the proposed Pebble Mine on Bristol Bay fisheries. The report, however, is not meant to be about a single project.

Some see the mine as a way to provide jobs in the region, but others fear it would disrupt or devastate

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The Pebble
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potential of
producing 80.6
billion pounds of
copper and 107.4
million ounces of
gold over decades.

Staff Writer
Mark Thompson

News

Headline: Gov.
Brown bids to
change authority
over drinking water
money |  

Outlet Full

Name: Fresno Bee -
Online

News Text: JOHN
WALKER — Fresno
Bee Staff Photo Buy
Photo

Remember how
lawmakers quietly
dumped the idea to
reorganize the state's
drinking water
program? This is the
same program that
often left small
Valley cities waiting
years to get healthy
tap water.

The reorganization is
back -- meaning the
California
Department of Public
Health might lose
control of this
program. This time,
the idea is in Gov.
Jerry Brown's
budget.

The governor
proposes to do the
same thing as the
scuttled Assembly
Bill 145, written by
Assembly Member
Henry Perea, D-
Fresno.

The main thrust:
transfer oversight of
drinking water from
public health to the
State Water
Resources Control
Board. That would
include the authority
over the Safe
Drinking Water State
Revolving Fund.

Over the last three
years, The Bee has

written several stories about the state foot-dragging and delays in the funding for towns such as Seville in Tulare County.

Last year, the U.S. Environmental Protection Agency criticized the public health leaders because millions of federal dollars for water fixes had not been used.

EPA required a plan of action to spend the money, and the health department complied in summer.


But leaders in Valley towns continued to be skeptical. Perea's bill to reorganize the administration of the drinking water program later failed as lawmakers from larger areas refused to allow it.

Now, an elated Perea congratulated the administration for advocating the change: "Governor Brown's budget proposes a major victory for thousands of Californians who do not have access to clean and safe drinking water."

At the same time, Perea said he could

News

Headline: Mining could devastate Alaska's Bristol Bay

region | 

Outlet Full

Name: Lexington
Herald-Leader -
Online

News

Text: JUNEAU,
Alaska — A
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EPA initiated the review process in response to a request in 2010 from tribes and others in the region concerned

about the impact of the proposed Pebble Mine on Bristol Bay fisheries. The report, however, is not meant to be about a single project.

Some see the mine as a way to provide jobs in the region, but others fear it would disrupt or devastate the local way of life. A citizens' initiative scheduled to appear on the August primary ballot would require legislative approval for any large-scale mine in the region.

Supporters of the EPA process hoped it would lead the agency to block or limit the project, while opponents saw it as an example of government overreach and feared it would lead to a pre-emptive veto.

EPA has said its goal with the watershed assessment is to get the science right. In the report, EPA said the assessment will inform possible future government actions.

EPA said the report is not an in-depth assessment of a specific mine but a study of the possible impacts of reasonably foreseeable mining activities in the region. The agency

said it drew on a preliminary plan published by Northern Dynasty Minerals Ltd., currently the sole owner of the project after Anglo American PLC withdrew last year, and consulted with mining experts on reasonable scenarios.

The president of Northern Dynasty, in November, said if it appeared EPA was moving to take pre-emptive steps to in any way restrict permitting, the company would probably launch the permitting process on its own without waiting for a new partner.

The Pebble Partnership has called the mine deposit one of the largest of its kind in the world, with the potential of producing 80.6 billion pounds of copper, 107.4 million ounces of gold and 5.6 billion pounds of molybdenum over decades.

While EPA focused on the effects of one mine, the agency, in its report, said it's possible that several mines could be developed in the watersheds studied, each of which would pose risks similar to

The report also found that the majority of respondents (70%) were aged 18-24, with the lowest response rate being from those aged 65 and over (10%).

News Text: A government report indicates a large-scale copper and gold mine in Alaska's Bristol Bay region could have devastating effects on the world's largest sockeye salmon fishery and adversely affect Alaska Natives, whose culture is built around salmon.

The first thing I noticed when I stepped out of the car was the heat. It was a sticky, oppressive heat that seemed to wrap around me like a heavy blanket. I had heard that the humidity in the South was unbearable, but this was something else entirely. The sun was a merciless ball of fire in the sky, and the air was thick with the scent of blooming flowers and the distant hum of traffic.

Name: Chicago Tribune - Online
News Text: _ The West Chicago Public Library District is working with the Environmental

Protection Agency (EPA) to identify records in the librarys Kerr McGee Sewage Treatment Site repository which may be digitized. As part of its ongoing effort to make archived records more readily accessible to the public through digitization, the Library contacted the EPA late last year for its help in identifying administrative records which might be replaced with electronic versions.

The Library is an official AR Repository library for the Kerr McGee Sewage Treatment Site. According to Administrative Librarian and Archivist, Melody E. Coleman, This is part of a continuing effort, based on the Librarys Strategic Plan, to make archived records more accessible to the public at large. Not many people even know that we are an official repository for the Kerr McGee administrative records. By using the latest technology to make these records available in an electronic format, they become much more accessible to both our local patrons and the world

through electronic access. On Wednesday, January 15, EPA Librarian Todd Quesada of the Superfund Division, worked with Access Services Manager, Ursula Salvesen, and Adult Services Manager, Benjamin Weseloh, to identify both records which the Library might digitize as well as records already available in electronic form elsewhere. Additional records from the Illinois Emergency Management Agency and the Illinois Nuclear Regulatory Commission, related to the Kerr McGee site, are also under review.

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